Home (1953) Department.

(RL) SERIES.

G.O. No. 3860

Dated 11-11-53

FOR MYSORE STATE

[Despatch Abstract.]

BOARD OF REVENUE (EXCISE) DEPARTMENT.

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Sub:- Courts-Criminal-South Kanara District-Additional First Class Magistrate (Prohibition) and his staff-further retention-proposals-

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Read:-District Magistrate, South Kanara, C.No.C3-4648/53, dated 18-8-53.

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Station - Triplicane, Madras-5.
C.R.V.No. 35354-Abk/53-XA1, Dated 11-9-1953.

From

Sri V.Krishnamurti, B.A.,
Assistant Secretary,
Board of Revenue (Excise).

...

Sri V.N.Kudva, I.C.S.,
Member, Board of Revenue and Commissioner of Commercial Taxes.

Reference:- .....

181668
17/9

The Board submits to Government the reference cited from the District Magistrate, South Kanara. In the circumstances explained by the District Magistrate, the Board recommends his proposal for the retention of the Additional First Class Magistrate (Prohibition) and staff for a further period of one year upto 30-9-54 or till the separation of Judiciary from the Executive comes into effect in the District whichever is earlier.

15/9/53

Assistant Secretary.

To the Secretary to Government, Home Department (with one enclosure).

R.P.N.14/9.

Ref.C.No C3. 4648/53 S.Kanara Dt.Magistrate's ce, Mangalore 18--8--1953

From

Sri A.Mahalingam Chettiar, B.A.,
District Magistrate, South Kanara,
Mangalore.

To

The Secretary to Government, Home Department,
Fort St.George, Madras.9

through

The Secretary to the Board of Revenue,
Land Revenue, Chepauk, Madras.5

Sir,

SUB: COURTS: Criminal - South Kanara District - Addl. I Class Magistrate (Prohibition) and his staff Further retention- Report submitted-

Ref: G.O.R.No. 1145, Home Dept. dated 5.4.1953.

****

The sanction accorded to the retention of the Additional I Class Magistrate (Prohibition)South Kanara and his staff expires on 30.9.53. The statistics of cases received and disposed of in this court for the half year ending 30.6.53 and the previous half year ending 31.12.1952 are furnished below.

From 1-1-53 to 30.6.1953

1.Cases pending on 1.1.53	180
2.Cases received from 1.1.53 to 30.6.1953	389
3.Total for disposal	569
4.No.of cases disposed of	436
5.No.pending	133

For the half year ending 31.12.1952

1.No.of cases pending at the beginning of the half year	509
2.No.received during the half year	732
3 Total	1241
4.No.of cases disposed of	1061
5.No.pending at the end of 31.12.52	180

2/- The total No.of cases in which property items were received from 1.1.53 to 30.6.53 was 288 and the total

P.T.O.

4

No. of fine items imposed was 232. During this period there were 280 admission cases and 154 contested cases as against 338 admission cases and 351 contested cases for the half year ending 31.12.1952. About half the total number of cases under the Prohibition Act is contested. Prior to 1-10-52 this Addl. First Class Magistrate (Prohibition) had jurisdiction to try prohibition cases throughout the District except Coondapur Taluk and he was holding his court in five taluk centres

12832 In view of the instructions given by the Separation Committee and by the Board of Revenue in para 5 of B.P.Rt.No. 6247 dated 12.9.52 this Magistrate was asked to hear cases only in the centre (i.e) Mangalore. My predecessor also curtailed his jurisdiction and allowed him to try cases arising only in Mangalore Taluk excluding the sub Taluk of Bantwal with effect from 1.10.52. The Stationary Sub Magistrates except the Stationary Sub Magistrate Mangalore and the Sub Magistrates were asked to try all Prohibition cases arising in their respective jurisdiction. This measure was then necessitated by the heavy arrears pending in this Addl. First Class Magistrate court. The Addl. First Class Magistrate has cleared the arrears after his jurisdiction was curtailed. But the files of some of the Stationary Sub Magistrates especially the S.S.M.Udipi and Kasaragod have become heavy on account of the additional prohibition cases to their files. The Additional First Class Magistrates present ~~practically~~ being jurisdiction small, his work has become rather light. It is necessary to give him some additional jurisdiction. The Stationary Sub-Magistrate Udipi received 201 cases under the Prohibition Act from 1.1.53 to 30.6.53 while the Stationary Sub Magistrate Kasaragod received 208 cases during the same period. As the work of the Stationary Sub Magistrate Udipi has become heavy, I propose to ask the Addl. First Class Magistrate (Prohibition) to camp at Udipi for two days in a week and dispose of all the prohibition cases arising in Udipi Taluk. By this proposal, he will have two centres for trying cases viz: Mangalore and Udipi.

-8-

The Addl.First Class Magistrate (General) who is already authorised to hear other cases at Kasaragod will be asked to try some prohibition cases of Kasaragod Taluk with a view to give some relief to the Stationary Sub Magistrate Kasaragod. Both these Addl.First Class Magistrates have been empowered to try cases summarily. The above proposals are made with a view to avoid delay in the disposal of cases taking the District as a whole. In view of the need for prompt disposal of the criminal cases in the District and the additional jurisdiction now proposed to be given to the Addl. First Class Magistrate, I consider that there is justification for ~~the retention of~~ the further retention of the post of the Addl.First Class Magistrate (Prohibition).

3. In the circumstances reported, I recommend that the Government may be pleased to sanction the retention of the Addl.I Class Magistrate (Prohibition) and his staff for a further period of one year from 1.10.53 or till the Separation of the Judiciary from the Executive comes into force in this District whichever is earlier.

Yours faithfully, -

18/8/53

DISTRICT MAGISTRATE

Copy to the Registrar, High Court, Madras.

mv 18.8.

3

(CNo 181668 Ch III/53)

Home Department

Memo No 181668 Ch III/53 dated 9.10.53.

Courts - Criminal - South Kanara District - Addl. First Class Magistrate (Prohibition) and his Staff - Further retention - Proposals

p/ CF

Ref: From the Board of Revenue CR. No 35356 ABK/53 XA1, d 11.9.53

pp 3-5 CF

A copy of the letter cited together with its enclosure is forwarded to the Registrar, High Court, Madras and he is requested to obtain and forward to Govt the remarks of the Judges on the proposal contained therein - contained in that letter.

Upd (wo)

14/10/53

To

The Registrar, High Court, Madras

(R with copy of C F)

(R.D 20 days)

6/X/53

8/10/53

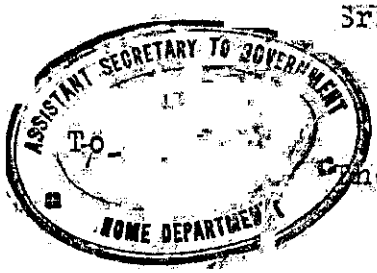
Ref.C3.4648/53.

Office of the Collector of
South Kanara, Mangalore,
Dated 5th October 1953.

9

From

Sri A.Mahalingam Chettiar, I.A.S.,
District Magistrate of South Kanara,
Mangalore.



To

The Secretary to the Government,
Home Department, Fort St.George,
MADRAS.9.

Sir

Subject: Courts - Criminal - South Kanara - Addl.I Class Magistrate (Prohibition) and his staff - Further retention - Report -

....

Reference: My report Ref.C3.4648/53, dated 18-8-1953.

...

The sanction accorded to the retention of the Additional I Class Magistrate (Prohibition) South Kanara and his staff expired on 30-9-1953. I submitted proposals in my report mentioned above for the retention of the above staff sanctioned in G.O.R. No.1149, Home Department dated 5-4-1953, for a further period of one year from 1-10-1953, through the Board of Revenue. As the disbandment of the staff will cause administrative inconvenience I am retaining them beyond 1-10-1953. I request that my action may be approved.

Yours faithfully,

5/10/53

Collector, South Kanara.

Copy to the Secretary to the Board of Revenue, Land Revenue, Chepauk, Madras.5.

R.O.C.No. 5265/53-E2.

From

Sri. R. Jayaram Ayyar, M.A.,B.L.,
Registrar, High Court,
M a d r a s.

To

The Secretary to the Government of Madras,
Home Department, Fort.St.George,
M a d r ass.

Dated: 20th October 1953.

Sir,

Sub: COURTS - CRIMINAL - South Kanara District - Additional First Class Magistrate(Prohibition) and his staff - Retention - Recommended.

Ref: 1. Letter C.R.No. 35354-Abk/53-XAI dated 11-9-53 from the Board of Revenue, Madras (sent to Government direct) and;
2. From the District Magistrate, South Kanara: Ref: No. C3 4648/53 dated 18--8--1953.

I am to state that the Hon'ble the Judges support the recommendation of the Board of Revenue, Madras, contained in the reference first cited.

Necessary provision has been made in the budget.

I have the honour to be,
Sir,
Your most obedient servant,
Jayaram
REGISTRAR,

Copyto:

The Dt.Magistrate, South Kanara, Mangalore.

CJn/

(C No. 181668 Ch III/53)

HOME DEPARTMENT

13

G.O. Rt. No 3886 dated. 11-11-53

Courts - Criminal - South Kanara district - A.F.C.M(Pro) and staff - Retention - Sanctioned.

Read: G.O.Rt.No. 1145, Home, dated 5-4-1953.
From the D.M.South Kanara Ref. C.No. C3 4648/53 dated 18-8-53.
From the Bd. of Revenue C.R.No. 35354 Abk/53-XA1, dated 11-9-1953.
From the High Court R.O.C.No. 5265/53-E2 d/20-10-53.

ORDER:

The Government sanction the retention upto 30-9-1954 or till the need ceases, whichever is earlier of the following temporary staff in the South Kanara district, last sanctioned in G.O.Rt. No. 1145, Home, dated 5-4-1953:

(1) One Addl. First Class Magistrate.
(2) One lower division clerk
(3) One typist.
(4) One attender; and
(5) Two peons.

2. The expenditure should be debited to the relevant subheads of appropriation under "27 Administration of Justice h Criminal courts"

3. The retention of the temporary staff mentioned in para 1 above beyond 30-9-1953 in anticipation of the sanction of the Govt. is approved.

To
The Registrar, High Court, Madras
" District Magistrate, South Kanara
" Board of Revenue(Excise) Madras
" A.G., Madras thro'the Fin deptt.
copy to Cts.(III)
(1 s.c)

Note: In the cirdumstances stated in his letter at pp 3-5 c.f. the D.M. South Kanara requests the retention of the A.F.C.M.(Pro) and staff last sanctioned in G.O.Rt. No. 1145, Home, dated 5-4-53 for a further period of one year from 1-X-53 or till the separation of the Judiciary from the Executive comes into force in that district , whichever is earlier. The Board recommends the proposal of the D.M. The Judges of the High Court suppost the recommendation of the Board. The recommendation may be accepted.

As regards A above, it is informally ascertain from Public (sep) that the question of exeension of the

p 2

Separation scheme to the remaining districts has just been taken up and that it will take considerable time before a final decision is reached in the matter and that even if a decision is arrived at, it may take more than a year before it is actually implemented in the districts. In view of this, the retention of the A.P.P.O.M (Prohibiton) and his staff in South Kanara Dt. may be sanctioned upto 30-9-54 or till the need ceases, whichever is earlier.

Subject to orders, the draft order overleaf is subd.-for approval. Finance may see for acceptance. Pub (Sep) may also see with reference to 5 above.

29/X/53

29.10.53

Pub(Sepn) | tcm

Pub:(Sep)Dept.

In view of the above and the draft order on prepage may be perused & the case passed on to Fin.

31.X.53

Pub(Sepn)Dept

4.0.8106/53-1

31/X/53

Finance (EI)

The draft order on page 1 above may be accepted.

6/11/53

Home

Home (Ch.IV).Dept

The draft order on D1 above may now issue.

9.11.53

Please issue

9 Nov 53

Home 181668 ch.III/53-4

30.X.53.

ASSISTANT SECRETARY TO GOVERNMENT PUBLIC (SEPARATION) DEPARTMENT

ADDITIONAL DEPUTY SECRETARY to Govt. 31 OCT 1953 FINANCE DEPARTMENT

FIN. U.O. 83387/E.I.1 7.11.53

ASSISTANT SECRETARY TO GOVERNMENT HOME DEPARTMENT

20333 9/11/53